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OFFICE OF PETITIONS

In re Application of
Bach, Poul
Application No. 09/675,952
Filed: September 29, 2000
Attorney Docket No. 5974.200-US

ON PETITION

This is a decision on the petition under 37 C.F.R. § 1.137(b), filed September 11, 2003, to revive the above-identified application.

The petition is granted.

This application became abandoned for failure to timely reply within three months to the non-final Office action mailed January 14, 2003. No extensions of time under the provisions of 37 CFR 1.136(a) were timely obtained. Accordingly, this application became abandoned on April 15, 2003. A Notice of Abandonment was mailed on September 5, 2003.

Petitioner has met the requirements to revive the above-identified application pursuant to 37 CFR 1.137(b).

An extension of time under 37 CFR 1.136 must be filed prior to the expiration of the maximum extendable period for reply. See In re Application of S., 8 USPQ2d 1630, 1631 (Comm'r Pats. 1988). Accordingly, since the \$930.00 extension of time fee submitted with the petition on September 11, 2003 was subsequent to the maximum extendable period for reply, this fee is unnecessary and will be credited to petitioner's deposit account.

The file is now being forwarded to Technology Center 1700 for further examination on the merits.

Telephone inquiries should be directed to Paralegal Liana Chase at (703) 306-0482.

Frances Hicks
Frances Hicks
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